

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

IN RE ASTRA SPACE INC. f/k/a HOLICITY
INC. SECURITIES LITIGATION

This Document Relates To: All Actions

Master File No. 1:22-cv-00737-NM-MMH

CLASS ACTION

**STIPULATION AND ORDER TO
TRANSFER VENUE AND AMEND
SCHEDULE**

WHEREAS, Lorraine A. Artery commenced this Action in the United States District Court for the Eastern District of New York by filing a complaint dated February 9, 2022 (the “Complaint”) against Defendant Astra Space Inc. (“Astra”) and certain of Astra’s current and former officers, Defendants Chris Kemp, Kelyn Brannon, and Steven Ednie (collectively with Astra, “Defendants”) (ECF No. 1);

WHEREAS, the Complaint asserts claims under Sections 10(b) and 20(a) of the Exchange Act of 1934 (the “Exchange Act”) and SEC Rule 10b-5 on behalf of a putative class;

WHEREAS, on October 17, 2022, pursuant to the Private Securities Litigation Reform Act (the “PSLRA”), 15 U.S.C.A. § 78u-4, this Court appointed Qingping Deng and Marcos Luis Molins Garcia as Lead Plaintiffs (“Plaintiffs”), and approved their selection of The Rosen Law Firm, PA. and Pomerantz LLP as Co-Lead Counsel (ECF No. 33);

WHEREAS, 28 U.S.C. § 1404(a) (“Section 1404”) provides that “[f]or the convenience of parties and witnesses . . . a district court may transfer any civil action to any other district or division where it might have been brought or to any district or division to which all parties have consented”;

WHEREAS, venue of an Exchange Act claim is governed by 15 U.S.C. § 78aa(a) and provides that Exchange Act actions “may be brought . . . in the district wherein the defendant is found or is an inhabitant or transacts business”;

WHEREAS, the Northern District of California is a proper venue for this Action because, among other reasons, Defendant Astra is headquartered in and transacts business from Alameda, California, and Defendants Kemp and Brannon reside in the Northern District of California;

WHEREAS, the statements challenged in the Complaint were prepared, approved, and issued at Astra’s headquarters in the Northern District of California, Defendants Astra, Kemp and Brannon reside in the Northern District of California, other current and former Astra employees who may be called to serve as witnesses in this action reside and work in the Northern District of California, and Astra’s electronic records are located on servers primarily accessed at Astra’s headquarters in the Northern District of California;

WHEREAS, Plaintiffs Deng and Garcia do not reside in the Eastern District of New York but reside in Colorado and Spain, respectively (ECF Nos. 19, 21-7);

WHEREAS, to Defendants’ knowledge, no potential witnesses to this action reside in the Eastern District of New York;

WHEREAS, Plaintiffs’ filing deadline for the Amended Complaint in this action is currently December 9, 2022; and

THEREFORE, for the foregoing reasons, and for the convenience of the parties and potential witnesses to this action;

IT IS HEREBY STIPULATED AND AGREED among the undersigned parties as follows:

1. The above-captioned Action shall be, and hereby is, transferred to the United States District Court for the Northern District of California, pursuant to 28 U.S.C. § 1404(a).

2. Plaintiffs shall file an amended complaint by the later of December 9, 2022, or within 14 days after the Northern District of California docket and assigns this Action;
3. Defendants shall answer, move, or otherwise respond to the amended complaint within 60 days after the date Plaintiffs file their amended complaint;
4. Plaintiffs shall file any opposition to Defendants' anticipated motion to dismiss within 45 days thereof; and
5. Defendants' shall file any reply in further support of the motion to dismiss within 35 days of Plaintiffs' filing of their opposition.

IT IS SO STIPULATED.

Dated: November 21, 2022

KATTEN MUCHIN ROSENMAN LLP

/s/ Jonathan Rotenberg

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**COUNSEL FOR DEFENDANTS ASTRA
SPACE f/k/a HOLICITY INC., CHRIS C.
KEMP, KELYN BRANNON, and
STEVEN EDNIE**

Respectfully submitted,

THE ROSEN LAW FIRM, P.A.

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**COUNSEL FOR LEAD PLAINTIFFS
AND THE CLASS**

It is hereby so ordered:

Marcia M. Henry
Hon. Marcia M. Henry, U.S.M.J.

Date: November 29, 2022